IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.19599 of 2006
Date of decision: December 11,2006

Ram Avtar V. Chief Administrator, HUDA and another

CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR.JUSTICE H.S.BHALLA

Present: Shri Mrigank Sharma ,Advocate for the petitioner.

Viney Mittal,J.(Oral)

Notice of motion to the respondents.

On the asking of the Court, Shri Ashok Jindal, Additional Advocate General, Haryana accepts notice on behalf of the respondents.

Copies of the petition have been supplied to the learned counsel for the respondents.

The petitioner claims himself to be an oustee inasmuch as it is claimed that his land had been acquired in the year 1993 and as such the petitioner was entitled to allotment of a residential plot measuring 10 marlas under the oustee's quota. However, the claim of the petitioner has been rejected by the authorities by observing that some land belonging to Arya Textile had been released through Civil Writ Petition No.2958 of 1996 and as such the claim of the petitioner could not be treated under the oustee's quota.

It has been averred by the petitioner that he has absolutely no concern with Arya Textile, in any manner, and as such even if it be taken that some land belonging to Arya Textile had been released, still the land of the petitioner having been acquired, he

was entitled to a plot under the oustee's quota.

After hearing the learned counsel for the parties and taking into consideration the averments made in the present petition, we find that the claim of the petitioner needs to be re-examined by the competent authority.

The Chief Administrator, Haryana Urban Development Authority, had appeared before this court in C.W.P. No.15433 of 2006 and other connected matters on November 29,2006 and had made a detailed statement before us. On the basis of the aforesaid statement, a large number of cases were disposed of.

`The present writ petition is also disposed of in terms of Civil Writ Petition No.15433 of 2006.

A copy of the order be given dasti on usual charges.

(Viney Mittal)
Judge

December 11,2006 **(H.S.Bhalla)**
sks **Judge**